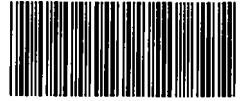


**Rose, Kenneth**

**From:** Gonzalez, Jessica L <Jessica.Gonzalez@bp.com>  
**Sent:** Friday, October 17, 2014 2:54 PM  
**To:** Rose, Kenneth  
**Cc:** Kezos, Cindy D; Morris, Sherry; Peterson, Allen  
**Subject:** Metro Container Site - BP Supplementa Response, with attachments  
**Attachments:** Metro Container Site Supplemental Response Letter to EPA 10.17.14.pdf; Metro Container Attchmt A to 10.17.14 Supplemental Resp Ltr.pdf; Metro Container Attchmt B to 10.17.14 Supplemental Resp Ltr.pdf



SEMS DocID 2248137

Mr. Rose,

Attached please find a supplemental response to the March and April 2012 - 104(e) Requests for Information related to the Metro Container Site. Per the attached letter, we located additional responsive documents and are supplementing our initial response to include that information (Attachment A) and to provide those documents via CD (as listed on Attachment B). The CD will be in the package that you receive via overnight mail (likely Monday, Oct. 20<sup>th</sup>).

Thank you.

*Jessica Gonzalez*

Senior Counsel - HSSE  
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**VIA FEDERAL EXPRESS**

October 17, 2014

Kenneth I. Rose III, Financial Analyst (3HS62)  
U.S. Environmental Protection Agency, Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029

Re: **Supplemental Response — Metro Container Site, Trainer, Pennsylvania**

Dear Mr. Rose:

This letter constitutes a supplemental response ("Response") of BP America Inc. ("BP") to the United States Environmental Protection Agency's ("USEPA") CERCLA Section 104 Requests for Information ("Requests") addressed to BP America, Inc., received on March 26, 2012, and Capital Lubricants Company, Incorporated, received on or about April 20, 2012. USEPA was seeking information concerning a release or threat of release of hazardous substances, pollutants, or contaminants at the Metro Container Corporation Site in Trainer, Pennsylvania ("Site"). BP's original response was provided on July 12, 2012 (the "July 2012 Response").

Another party in this matter recently brought to BP's attention that it was aware that certain BP entity documents responsive to the Requests were not provided in its July 2012 Response. At that point, BP made a diligent effort to perform a subsequent review of the documents that might be responsive to the Requests. During this latest review, additional responsive files were identified. BP apologizes for this oversight.

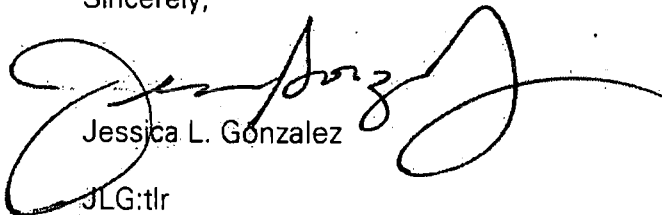
Given the subsequent review and identification of additional responsive documents, BP now supplements its original response. Attachment A provides the specific Requests to which BP is supplementing its response. Attachment B is a list of the documents being provided on CD.

Kenneth I. Rose III  
October 17, 2014  
Page – 2 –

BP submits this supplemental response pursuant to and re-iterating the objections previously set forth in its July 2012 Response. Of particular significance, BP generally objects to supplying documents that are readily available in the public domain (such as public libraries, public document repositories, and the files of any branch of the federal, state or local government), including but not limited to any publicly available documents relating to the Lyondell bankruptcy and the Metro Container Site as a U.S. Additional CERCLIS/NPL Site thereunder. In addition, BP objects to producing any documents protected by the attorney-client communication privilege or attorney work product privilege, including those that may have been shared among the former Metro PRP Group members and subject to the Joint Defense Agreement governing those communications.

BP apologizes for the delay in providing these documents and any inconvenience this may have caused. BP retains the right to supplement this response should additional information be discovered that is responsive to the Request.

Sincerely,

A handwritten signature in black ink, appearing to read "Jessica L. Gonzalez", with a large, stylized flourish extending to the right.

Jessica L. Gonzalez

JLG:tlr

Enclosure

## **ATTACHMENT A**

1. USEPA has information which indicates that you sent drums to the Metro Container Site between 1980-1988 from one of more of your facilities. For each such facility, identify:
  - a. The address of the facility; and
  - b. The products/materials produced at such facility between 1980-1988.

### **Response to Question 1**

**In addition to the facilities identified in the July 2012 Response, BP has identified various vendors with which BP arranged for the transportation and disposal of empty 55 gallon drums to the Metro Container Site. These vendors included, but may not have been limited to, the following:**

#### **Vendor**

**AC&T Co. Inc., Hagerstown, MD  
Accurate Screwing Machine, Columbus, NJ  
Brinker Fuel, Doylestown, PA  
Carl King, Camden, DE  
Hutter, Inc., Jonestown, PA  
Jay Gress, Norristown, PA  
Kellam Propane Gas Company Inc., Belle Haven, VA  
Kawneer Co., Inc., Harrisonburg, VA  
Manassas Ice and Fuel Co., Inc., Manassas, VA  
Solar Compounds, Linden, NJ  
Paterson Motor Oil, Peterson, NJ  
Pedroni Fuel, Vineland, NJ  
Polt Bus Services, Lebanon, NJ  
Solar Compounds Corp, Linden, NJ  
The Oil Man, Hurrville, NJ  
Tri Gas & Oil, Fredericksburg, MD  
Troutman's Oil Service, Millersburg, PA  
United Oil Company, Baltimore, MD  
Wainwright Oil, Dryden, NY  
Wilkinson Industries, Franklinville, NJ  
Wilson Mushroom Company, Avondale, PA**

#### **Transporter**

**Glasgow, no location identified  
Houff Transfer, Weyers Cave, VA  
Oneida Motor Freight, Carlstadt, NJ  
Proctor Express Inc., Delair, NJ  
Metro Chemical, Trainer, PA**

**As previously described in BP's July 2012 Response, due to the divestment of assets and the consolidation of companies within BP and its predecessor companies during the last 30 years, most if not all of the files related to those facilities and the vendors that they utilized remained with the operating assets and their new owners. In addition, BP has closed various regional offices and it is possible that some of the boxes with materials related to these entities and their vendors may have been lost or misfiled during those various moves.**

6. Identify all chemicals/constituents that would have been present in drums present at any time between 1980-1988 at the facilities identified in response to Question # 1(a).

#### **Response to Question 6**

**After a further review of corporate records, BP located additional documents describing the use of the Metro Container Site for the disposal of empty 55 gallon drums from various heritage BP companies. Specifically, the documents identified on Attachment B and included on the enclosed CD relate to the use of the Metro Container Site by heritage Atlantic Richfield entities and their vendors. BP reserves the right to supplement or amend this response should additional information become available.**

7. Identify the number of drums/containers sent to Metro Container Site from the facilities identified in response to Question #1.<sup>1</sup>

#### **Response to Question 7**

**See Reponse to Question #6. The documents included on the encolosed CD provide information concerning the potential number of drums sent by various BP and non-BP entities.**

9. Identify the chemicals/constituents contained in the drums you sent to the Metro Container Site.

#### **Response to Question 9**

**Please see Responses to Questions #1 and #6.**

10. If you assert in response to Question #9 that some or all of the drums sent to the Metro Container Site were empty, identify the chemicals/constituents that would have been in the drums before they were emptied.

---

<sup>1</sup> Note: this question was included in the Request sent to BP America, Inc. but not in the Request sent to Capital Lubricants Company, Incorporated.

**Response to Question 10**

**Please see Responses to Questions #1 and #6.**

11. Identify, and provide a copy of, all contracts and agreements between you and Metro Container Corporation or any related entity under which drums were sent from your facilities to the Metro Container Site.<sup>2</sup>

**Response to Question 11**

**Please see Response to Question #6.**

12. Provide the name, title, address, and telephone number of the person answering these questions on your behalf. For each question, provide the name, title, area of responsibility, current address, and telephone number of all persons consulted in preparation of the answers.

**Response to Question 12**

**In addition to the persons identified in the July 2012 Response, the following person was also consulted in preparation of this supplemental response:**

**Sherry Morris, Paralegal  
501 Westlake Blvd., WL 1 16-187  
Houston, TX 77079  
281-366-3177**

---

<sup>2</sup> Note: this question is quoted as included in the Request to BP America, Inc. A similar, though not exact, question was posed as #11 in the Request sent to Capital Lubricants Company, Incorporated.

## **ATTACHMENT B**

1. 1985 Carl King ARCO Products Documents.pdf
2. 1985-1988 ARC-Metro Container Transaction Documents.pdf
3. 1986 Carl King ARCO Products Documents.pdf
4. 1987 Carl King ARCO Products Documents.pdf
5. 1988-5-9 ARCO Response to EPA RFI.pdf
6. 1988-6-2 Atlantic Refining Letter to EPA.pdf
  - a. 1988-6-2 Letter Attachment A.pdf
  - b. 1988-6-2 Letter Attachment B.pdf
  - c. 1988-6-2 Letter Attachment C.pdf
7. 1989-3-5 Draft Metro Container PRPs Drums Contributed.pdf
8. 1989-3-8 Saul Ewing Remick Saul Transmitting Booz-Allen Database.pdf
9. 1989-5-30 Saul Ewing Remick Saul Letter to EPA and attachments.pdf
10. 1989-5-31 Saul Ewing Remick Saul Letter to Atlantic Richfield Company.pdf
  - a. 1989-5-31 SERS Letter Attachment A.pdf
  - b. 1989-5-31 SERS Letter Attachment B.pdf
  - c. 1989-5-31 SERS Letter Attachment C.pdf
  - d. 1989-5-31 SERS Letter Attachment D.pdf
  - e. 1989-5-31 SERS Letter Attachment E.pdf
11. 1989-7-14 PRP Drum Report ARCO Chemical-BP.pdf
12. 1989-7-14 PRP Drum Report Sun.pdf
13. 1989-10-9 ARCO Letter to Lyondell.pdf
14. 1990-1-29 Flippo Oil Letter to ARCO Products.pdf
  - a. 1990-1-29 FO Letter Attachment 1.pdf
  - b. 1990-1-29 FO Letter Attachment 2.pdf
  - c. 1990-1-29 FO Letter Attachment 3.pdf
15. 1990-2-14 Metro Container Draft Database Report.pdf
16. 1990-2-28 Saul Ewing Remick Saul Notice Letter to PRPs.pdf
17. 1990-5-4 ARCO Internal Memo Summarizing Metro.pdf
18. 1990-6-15 Sun Indemnity Letter to Lyondell.pdf
19. 1990-8-31 Lyondell Letter - Atlantic Richfield.pdf
  - a. 1990-8-31 Lyondell Letter Attachment A.pdf
20. No Date Metro Container Supplier of Drums List.pdf